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ICONIC MOTORS, INC. d/b/a ELGIN VOLKSWAGEN  
8 SLEVIN CAPITAL INVESTMENTS, INC.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 *In re: Volkswagen 'Clean Diesel' Marketing,*  
12 *Sales Practices, and Products Liability*  
*Litigation*

13 This document relates to:

14 *Iconic Motors, Inc. v. Volkswagen Group of*  
15 *America, Inc.*, No. 3:17-cv-3185-CRB  
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LEAD CASE No. 15-md-02672- CRB

**DECLARATION OF DANIELLE J.  
GOULD IN SUPPORT OF  
DEFENDANTS' ADMINISTRATIVE  
REQUEST PURSUANT TO CIVIL L.R.  
79-5 TO HAVE CERTAIN PORTIONS  
OF DEFENDANTS' REPLY IN  
SUPPORT OF MOTION FOR  
SUMMARY JUDGMENT FILED  
UNDER SEAL PURSUANT TO CIVIL  
L.R. 79-5**

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2 I, Danielle J. Gould, declare as follows:

3 1. I am a partner with the law firm of Burke, Warren, MacKay & Serritella, P.C. and  
4 counsel of record for Plaintiffs, Iconic Motors, Inc. d/b/a Elgin Volkswagen and Slevin Capital  
5 Investments, Inc. I provide this declaration in response to Defendants Robert Bosch GmbH and  
6 Robert Bosch LLC's Administrative Motion to Consider Whether Another Party's Material Should  
7 Be Sealed in support of Defendants' Reply in Support Motion for Summary Judgment. Except where  
8 stated on information and belief, I have personal knowledge of the facts set forth herein and, if called  
9 and sworn as a witness, I can and will testify competently under oath to all such facts. I make this  
10 declaration pursuant to Civil Local Rules 7-11 and 79-5, as counsel for the "Designating Party," as  
11 outlined in Civil Local Rule 79-5(f)(3), and in support of maintaining said portions of Defendants'  
12 Reply in Support of Motion for Summary Judgment under seal.  
13

14 2. On August 6, 2018, the Court approved and entered a Stipulated Protective Order  
15 (Dkt. No. 5180) ("Protective Order") in this matter.  
16

17 3. In this action, Plaintiffs have produced certain documents designated as  
18 "Confidential" pursuant to the Protective Order.

19 4. On March 21, 2025 Defendants filed an Administrative Motion to Consider Whether  
20 Another Party's Material Should Be Sealed, pursuant to Civil Local Rule 79-5(f), regarding certain  
21 confidential information arising from documents produced by Plaintiffs. The information for the  
22 Court's consideration are argument and facts deriving from Plaintiffs' confidential settlement with  
23 Volkswagen, argument and facts deriving from Plaintiffs' profits and losses (which have been filed  
24 under seal through the Declaration of William A. Slevin [Dkt. 8256-2] and accepted by the Court),  
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1 and argument and facts deriving from two property appraisals obtained for the property at-issue in  
2 this lawsuit.

3         5. All of the information above has either been designated by Plaintiffs as  
4 “Confidential,” pursuant to the Protective Order, previously sealed by the Court, or both. This is  
5 because the information is confidential, nonpublic, and includes highly sensitive business  
6 information. The information derives from confidential, non-public documents which incorporate  
7 the Plaintiffs’ sales practices, Plaintiffs’ business and supply agreements, Volkswagen’s and  
8 Plaintiffs’ competitive positions, subsequent remedial measures enacted by Volkswagen and  
9 Plaintiffs in response to the emissions scandal, Plaintiffs’ financial information (including property  
10 and business evaluation, which could impede future business-sale negotiations), and information  
11 that is subject to a confidential settlement agreement between Plaintiffs and Volkswagen of America,  
12 Inc. Upon information and belief, publicly disclosing this sensitive information presents a risk of  
13 undermining the Plaintiffs’ relationships with past, present, and future consumers, would cause harm  
14 with respect to the Plaintiffs’ competitors and customers, and would put Plaintiffs at a competitive  
15 disadvantage with other dealerships. For these reasons, as well as others, the information outlined  
16 above contain “Highly Confidential Information” under Paragraph 2.8 of the Protective Order and  
17 are appropriately designated as “Confidential.”  
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19         6. Upon information and belief, there is not a less restrictive alternative to sealing the  
20 subject information contained in Defendants’ Reply in Support of Motion for Summary Judgment,  
21 which has been identified by Defendants.  
22

23         7. Pursuant to Civil Local Rules 7-11 and 79-5, the Protective Order, and the  
24 considerations outlined herein, the portions of Defendants’ Reply in Support of Motion for Summary  
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1 Judgment that contain, cite, or identify information involving the above-mentioned document  
2 sources should be maintained under seal and redacted.

3 I declare under penalty of perjury under the laws of the United States of America that the  
4 foregoing is true and correct.

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7 Executed this 28th day of March, 2025, in Chicago, Illinois

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10 /s/Danielle J. Gould  
11 Danielle J. Gould  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 28, 2025, the within document was filed with the Clerk of Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Danielle J. Gould  
DANIELLE J. GOULD, *pro hac vice*

*Attorney for Iconic Motors, Inc. d/b/a Elgin  
Volkswagen and Slevin Capital Investments, Inc*